

By: Hughes, Hall

S.B. No. 1736

A BILL TO BE ENTITLED

AN ACT

relating to the liability of a person who allows handguns to be carried on property owned, controlled, or managed by the person.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 95A to read as follows:

CHAPTER 95A. ACTIONS INVOLVING THE CARRYING OF HANDGUNS ON PROPERTY

Sec. 95A.001. EVIDENCE OF FAILURE TO FORBID HANDGUNS. The fact that a card, sign, or other document described by Section 30.06(c)(3) or 30.07(c)(3), Penal Code, is not posted on the property of a business or any other evidence that a person failed to exercise the person's option to forbid the carrying of a handgun by a license holder on the property:

(1) is not admissible as evidence in a trial on the merits in an action:

(A) against a person, including a business or other entity, who owns, controls, or manages the property; and

(B) in which the cause of action arises from an injury sustained on the property; and

(2) does not support a cause of action described by Subdivision (1) against a person described by Subdivision (1).

SECTION 2. Chapter 95A, Civil Practice and Remedies Code, as added by this Act, does not apply to a cause of action that

1 accrued before the effective date of this Act. A cause of action  
2 that accrued before the effective date of this Act is governed by  
3 the law applicable to the cause of action immediately before that  
4 date, and the former law is continued in effect for that purpose.

5 SECTION 3. This Act takes effect September 1, 2017.